

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

IN RE GOOGLE INC. COOKIE
PLACEMENT CONSUMER PRIVACY
LITIGATION

Case No. 12-MD-2358 (SLR)

This Document Relates to:
All Actions

STIPULATION AND [PROPOSED] ORDER

It is hereby stipulated and agreed, between and among Plaintiffs and Defendant Google Inc. (“Google”), by and through their respective counsel, as follows:

1. WHEREAS, on December 19, 2012, Plaintiffs filed their Consolidated Class Action Complaint (“Complaint”) (ECF No. 46);
2. WHEREAS, Plaintiff William Gourley (“Gourley”) passed away on July 26, 2015;
3. WHEREAS, Gourley’s claim is personal to him and his estate has no interest in pursuing it;
4. WHEREAS, Gourley has not been deposed or answered any discovery in this action;
5. WHEREAS, Plaintiffs and Google have reached a class settlement with respect to the claims against Google to be submitted to the Court for approval pursuant to Fed. R. Civ. P. 23.
6. WHEREAS, the parties agree that Plaintiffs should be granted leave to amend to file their Consolidated Amended Class Action Complaint, a copy of which is attached hereto as

Exhibit A, in order to dismiss Gourley's claims and amend Plaintiff Jose M. ("Josh") Bermudez's allegations.

THEREFORE, IT IS STIPULATED AND AGREED by the undersigned parties, through their respective counsel of record, subject to approval by the Court, that:

1. Plaintiff William Gourley's claims are dismissed from the above-captioned action;
2. Plaintiffs should be granted leave to amend to file their Consolidated Amended Class Action Complaint, a copy of which is attached hereto as **Exhibit A**.
3. Google's will not be required to answer this amended complaint under Fed. R. Civ. P. 15, and Google's Answer filed March 2, 2016 (D.I. 154) shall be deemed to be Google's answer to the proposed amended complaint attached as Exhibit A.
4. Google's agreement to this stipulation shall not be construed as, nor shall Plaintiffs contend that it is, an admission by Google that any amended allegations are true or that Plaintiff Bermudez's allegations and claims pertaining to the Internet Explorer web browser remain at issue following the mandate issued by the Third Circuit on December 21, 2015.

IT IS SO STIPULATED.

Dated: June 20, 2016

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Counsel for Defendant Google Inc.

SO ORDERED on this _____ day of _____, 2016.

Hon. Sue L. Robinson
United States District Judge